CWP No. 1331 of 2005

1.1.2007 Present: Mr.Vijay Bhatia, counsel for the petitioner.

Mr.M.S.Chandel, Advocate General, with
Mr.R.M.Bisht, DAG, for the State.

By means of this petition, the petitioner has prayed that respondents be directed to conclude the process of land acquisition and pay the compensation payable to the petitioner, in respect of the land bearing Khasra No. 687/1, measuring 0-19 biswa and Khasra No. 688/1, measuring 0-2 biswa, i.e. a total of 1 bigha 1 biswa in Mauza Hatwar, Tehsil Ghumarwin, District Bilaspur. The respondents in the reply have not denied the fact that the land of the petitioner is required for construction of the road and that the acquisition proceedings in respect of the said land had been initiated as far back as in the year 1995, but for some reasons the same could not be taken to their logical conclusion. In the reply filed on 31st March, 2006, it has been stated that the respondents shall be issuing fresh notification under Section 44 and shall complete the acquisition proceedings within 2 years. Keeping in view the averments made in the reply, this petition is disposed of by issuing the following directions :-

(i) That the notification for acquisition of the aforesaid land under Section 4 of the Land Acquisition Act , if not already issued, shall be issued within 2 months from today.

(ii) That the proceedings under the Land Acquisition Act shall thereafter be taken to their logical conclusion and shall be completed within the statutory period of 2 years.

The writ petition is disposed of. No order as to costs.

(Deepak Gupta), J.

January 1, 2007(K) (Surinder Singh), J.